

CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

*Hgar*

OLC 76-1614/a

25 JUN 1976

Honorable Bella S. Abzug, Chairwoman  
Subcommittee on Government Information and  
Individual Rights  
Committee on Government Operations  
House of Representatives  
Washington, D. C. 20515

Dear Madam Chairwoman:

This is in regard to your letter of 4 June 1976, expressing concern as to our letter to the Senate leadership requesting confirmation of our expressed intention to resume destruction of Agency documents.

We have extended the moratorium for six months, to expire on 10 December 1976, as requested by the Senate leadership. Prior to the destruction of any records, we shall transmit to the Senate Select Committee on Intelligence copies of the record schedules which are submitted to the National Archives and Record Service for their approval prior to the destruction of any records. The same will be done with respect to those routine administrative records which, although not involved under S. Res. 21, were withheld from routine destruction during the life of that Resolution.

My letter to the Senate leadership was only a preliminary step to destruction to determine if there is further congressional interest. I wish to make clear that it was never my intention to destroy any documents still subject to Justice Department investigation or relevant to litigation.

I trust that this arrangement satisfies your concerns.

Sincerely,

*/s/ George Bush*

George Bush  
Director

Distribution:

Orig. - Addressee

1 - DCI

1 - DDA

1 - OGC

1 - ER

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1 - DDI

1 - DDO

1 - Mr. Knoche

1 - OLC/Chrono

OLC:PLC:dla [redacted] (typed 14 June 1976) 1 - Review Sta



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EXECUTIVE SECRETARIAT

Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	D/DCI/IC				
4	S/MC				
5	DDS&T				
6	DDI				
7	DDA		X		
8	DDO				
9	D/DCI/NIO				
10	GC				
11	LC	X			
12	IG				
13	Compt				
14	D/Pers				
15	D/S				
16	DTR				
17	Asst/DCI				
18	AO/DCI				
19	C/IPS				
20	H. Knoche	X			
21					
22					
	SUSPENSE		Date		

Remarks:

Please review with DCI.

Two letters attached; one from Chairwoman  
Abzug and one from Senator Mark Hatfield.

7 June 1976

Date

3637 (5-76)

STAT

BELLA S. ABZUG, N.Y., CHAIRWOMAN  
LEO J. RYAN, CALIF.  
JOHN CONYERS, JR., MICH.  
TORBERT H. MACDONALD, MASS.  
JOHN E. MOSS, CALIF.  
MICHAEL HARRINGTON, MASS.  
ANDREW MAGUIRE, N.J.  
ANTHONY MOFFETT, CONN.

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WILL STEIGER, ARIZ.  
CLARENCE J. BROWN, OHIO  
PAUL N. MCCLOSKEY, JR., CALIF.  
225-3741

NINETY-FOURTH CONGRESS

**Congress of the United States**  
**House of Representatives**

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS  
SUBCOMMITTEE  
OF THE  
COMMITTEE ON GOVERNMENT OPERATIONS  
RAYBURN HOUSE OFFICE BUILDING, ROOM B-349-B-C  
WASHINGTON, D.C. 20515

Executive Registry  
76-2375/5

OLC 76-1614

June 4, 1976

Honorable George Bush  
Director  
Central Intelligence Agency  
Washington, D. C. 20505

Dear Mr. Bush:

This is in connection with your letter of June 2, 1976 to Senate Minority Leader Hugh Scott regarding a request for release from the moratorium on destruction of documents.

I am surprised, in light of your testimony before this Subcommittee on April 28, 1976, that you did not see fit to share with this Subcommittee your request to the Senate leadership. You are, of course, aware of my position, as the principal sponsor of H.R. 12039, that no records which might comprise the subject matter of that legislation be destroyed before the Congress has had an opportunity to pass on it. I am taking this opportunity to reiterate that request and urge that you withdraw your letter to Senator Scott insofar as it affects files which might be covered by H.R. 12039.

Beyond the concerns of this legislation, however, I am surprised that your request is framed as broadly as it is. I would expect that the Senate leadership would have no objection to the resumption of the destruction of "routine administrative records", but I have urged them to reject any request for destruction of records "which were subject to investigation" by the Rockefeller Commission and the Select Committee. This could include records which neither body ever saw, but merely "were subject to" investigation. Your request presumably would include files and records relating to assassinations of foreign leaders and other matters which may be of continuing interest to various Congressional committees.

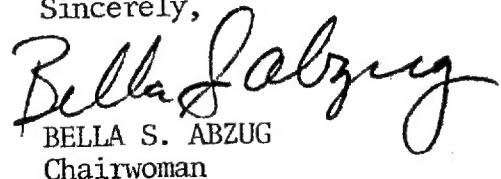
In light of the above, I urge you to rethink your request and to withdraw it.

Honorable George Bush  
June 4, 1976

Page 2

In addition, I would ask immediate clarification of the closing comment in your June 2 letter to Senator Scott: "I trust you agree that this action is now necessary and appropriate, and I would appreciate your confirmation of this understanding." Although I disagree with your position, I interpret that statement to mean that you will not act to destroy any document until the Senate leadership has affirmatively responded to your request. Please correct me if your intention is to act prior to such reply.

Sincerely,

  
Bella S. ABZUG  
Chairwoman

TO	Mr. Gary LLMT RC (return to GLC)	DATE OF REQUEST
FROM	WPB	SUSPENSE DATE
SUBJECT:	Talking points on Records Destruction + Hatfield + Abzug letters	

NOTES

Attached are:

- ① Talking paper + recommendations  
on Hatfield + Abzug letters
- ② Copy of DCI's letter to Scott  
and Mansfield.
- ③ Copies of Hatfield's + Abzug's  
letters

COORDINATED WITH (list names as well as offices)

NAME	OFFICE	DATE

ACTION REQUIRED BY GLC

DCI pledged to new SSC not to  
destroy any docs to that committee has  
reviewed the month. - JMB

overlaid  
already by DCI

PLC *Letters* *STAT*  
pls draft *Abzug* *16*  
Hatfield, *as per own "plan"* *coordinated*  
as per *OB C*, *gk*  
*W* 

STAT

Honorable Mike Mansfield  
United States Senate  
Office of the Majority Leader  
Washington, D.C. 20510

2 JUN 1975

Dear Senator Mansfield:

On 27 January 1975, following adoption of S. Res. 21 creating the Select Committee on Intelligence, you and Senator Hugh Scott requested that the Central Intelligence Agency "not destroy, remove from [its] possession or control, or otherwise dispose or permit the disposal of any records or documents which might have a bearing on the subjects under investigation, including but not limited to all records or documents pertaining in any way to the matters set out in section 2 of S. Res. 21."

In response to this request, the Agency placed in effect a complete moratorium on the destruction of records, including normal administrative records scheduled for routine destruction.

The purpose of this letter is to advise you that it is our intention to proceed with destruction of records, now that the Select Committee has completed its investigation and issued its final report. We have so advised Senator Church.

Along with the backlog of routine administrative records, the Agency will destroy records which were collected and maintained by the Agency and which were subject to investigation by the Rockefeller Commission and the Select Committee. The Agency is required to destroy much of this latter material by the Privacy Act of 1974 (P. L. 93-579) and by Executive Order 11905. Of course, all records destruction will be fully consistent with other applicable laws, Presidential directives, and the requirements of pending litigation and Justice Department investigations.

I trust you agree that this action is now necessary and appropriate, and I would appreciate your confirmation of this understanding.

I am sending a duplicate of this letter to Senator Hugh Scott.

Sincerely,

SIGNED

George Bush  
Director



CENTRAL INTELLIGENCE AGENCY  
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WASHINGTON, D.C. 20503

2 JUN 1976

Honorable Hugh Scott  
United States Senate  
Office of the Minority Leader  
Washington, D.C. 20510

Dear Senator Scott:

On 27 January 1975, following adoption of S. Res. 21 creating the Select Committee on Intelligence, you and Senator Mike Mansfield requested that the Central Intelligence Agency "not destroy, remove from [its] possession or control, or otherwise dispose or permit the disposal of any records or documents which might have a bearing on the subjects under investigation, including but not limited to all records or documents pertaining in any way to the matters set out in section 2 of S. Res. 21."

In response to this request, the Agency placed in effect a complete moratorium on the destruction of records, including normal administrative records scheduled for routine destruction.

The purpose of this letter is to advise you that it is our intention to proceed with destruction of records, now that the Select Committee has completed its investigation and issued its final report. We have so advised Senator Church.

Along with the backlog of routine administrative records, the Agency will destroy records which were collected and maintained by the Agency and which were subject to investigation by the Rockefeller Commission and the Select Committee. The Agency is required to destroy much of this latter material by the Privacy Act of 1974 (P. L. 93-579) and by Executive Order 11905. Of course, all records destruction will be fully consistent with other applicable laws, Presidential directives, and the requirements of pending litigation and Justice Department investigations.

I trust you agree that this action is now necessary and appropriate, and I would appreciate your confirmation of this understanding.

I am sending a duplicate of this letter to Senator Mike Mansfield.

Sincerely,

SIGNED

George Bush  
Director



Talking points for Senators Mansfield and Scott.

1. I just wanted to let you know that I have a letter on the way concerning the moratorium on records destruction. As you know we have had a complete hold on any destruction of records since your request in January 1975, and this has included all our routine administrative records.

2. I am very anxious to get this albatross from around my neck. Most of the records we will proceed to destroy are just routine records which have been stacking up. As far as a small portion of the records which were improperly collected or maintained, these will be destroyed only when pending litigation and investigations are complete. This includes the mail intercept records and the CHAOS records.

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**Next 2 Page(s) In Document Exempt**

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OGC 76-3014

4 June 1976

MEMORANDUM FOR THE RECORD

SUBJECT: Abzug Concern With CIA Record Destruction Plans

1. Jim O'Neill, Deputy Archivist, called me this morning to report that late last night Tim Ingram of Congresswoman Abzug's staff called him to discuss the letter Mr. Bush had sent to Senators Scott and Mansfield concerning the destruction of records. Ingram was concerned and thought NARS should be concerned that CIA apparently intends to destroy records contrary to law. Ingram read portions of the letter to O'Neill, who also was not certain that it indicated CIA intentions would be entirely satisfactory to NARS, in particular the matter of CIA compliance with the Federal Records Act. I assured him that of course we are fully aware of that Act and as Mr. Bush's letter indicated our intention is to dispose of records entirely in keeping with all applicable law. Dr. O'Neill indicated he was sure that was our intention. He further suggested that when he receives a copy of Bush's letter, which Ingram had promised to send him, he might want to send to us the draft of a letter from the Archivist to Mr. Bush which would record once again, in an exchange between our two agencies, our assurance to the Archivist that our records destruction program will continue to be in accordance with law. (An exchange of this nature between Archivist Rhoads and Mr. Colby took place some months ago.) I promised to send Dr. O'Neill a copy of the Bush letter also, thinking that it might reach him earlier than the copy from Mr. Ingram.

2. O'Neill has the impression from Ingram that Abzug is quite upset by the Bush letter. Ingram also complained that he had a call in to Mr. Warner and as yet not had a reply. (Sue and Lu have no knowledge of a call from Ingram.) O'Neill said that his own judgment of Ingram is that Ingram probably believes that CIA has engaged in misdeeds and is not above action to destroy the evidence.

3. Ingram told O'Neill that at a recent session at American University a CIAer told him that CIA had two destruction schedules--one that it furnishes to NARS, and a secret one which it really uses.



STAT

Associate General Counsel  
Chief, General Law Division

cc: OLC  
DDA  
C/Records Administration Branch/ISAS